

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Tribal Welfare Department – Appeal petition filed by Sri Beeram Sudhakar S/o Sri Venkatanarsaiah, Manugur, Khammam District against the Cancellation of the Scheduled Tribe Certificate of the Proceedings Rc.No. D3-2150/07, dated:16.01.2011 of the Collector, Khammam District - under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (AP Act No. 16/1993) – Appeal Petition rejected – Orders Issued.

SOCIAL WELFARE (CV-2) DEPARTMENT

GO.Ms.No. 4

Dated:24-01-2013.
Read the following:

1. Proceedings of the District Collector, Khammam, Rc No. D3-2150/07, dated 16.1.2011.
2. Appeal Petition filed by Beeram Sudhakar S/o Sri Venkatanarsaiah, R/o H.No.1-11-108, Rajiv Gandhi Nagar, Manugur, Khammam District, dt.2.2.2011.
3. Govt.Memo.No.2499/CV2/2011,SW(CV2)Dept, dt.03.03.2011.
4. From the District Collector, Khammam, Lr. Rc. No. D3/2150/07, dt. 17.07.2011.
5. Govt.Memo.No.2499/CV2/2011,SW(CV2) Dept, dt.28.04.12, 20.10.2012 and 21.11.2012.

ORDER:

In the reference 1st read above the District Collector, Khammam has issued orders canceling Scheduled Tribe Certificate obtained by Sri Beeram Sudhakar S/o Sri Venkatanarsaiah, R/o Khammam District from the then Tahasildar, Manugur.

2. In the reference 2nd read above, Sri Beeram Sudhakar S/o Sri Venkatanarsaiah has filed Appeal Petition before the Government against the Proceedings of the District Collector, Khammam. After examining the said Appeal Petition, Government have admitted the Appeal Petition and called for the parawise remarks and connected records from the District Collector, Khammam in the reference 3rd read above.

3. In the reference 4th read above, the District Collector, Khammam has furnished Parawise remarks and Connected records on the Appeal petition filed by Sri Beeram Sudhakar S/o Sri Venkatanarsaiah.

4. The said Appeal Petition has been posted for hearing on 28.04.2012, 20.10.2012, finally on 21.11.2012 the same has been informed to the appellant and requested to attend the above hearings with all documentary evidences/ certificates in favour of his community claim, in the reference 5th read above. The Appellant was present and argued the case and explained his community status and filed written arguments before the Appellate Authority in support of his community claim.

5. Government has examined the records and proceedings of the District Collector, Khammam dated. 16.1.2011, grounds and written arguments submitted by the Appellant and having considered the arguments of either side and documentary evidences, as per the Proceedings of the District Collector, Khammam, Rc.No. D3-2150/07, dated 16.1.2011, the appellant in his arguments among other things has stated that the District authorities while

[p.t.o...]

passing the impugned orders have failed to appreciate his family particulars, the changes occurred in the spelling of the appellants surname the Judgment of the Judicial Magistrate of 1st class Manuguru in CC No. 226/2007 dated 8.4.2010 further he has stated that his father belong to Koya Caste ST and native of Lingapurampadu of Cherla Mandal Khammam District and migrated to Sannur village Rayaparthi Mandal Warangal District for livelihood and married a woman belong to Kapu community, the appellant is the offspring of the said inter caste married couple, after demise of the appellant's father the appellant and his brothers and sisters were brought up by his maternal Grand father and elevated as Kapu Caste. After completion of intermediate the appellant came to know the fact that his father belong to ST Koya caste and obtained ST certificate from MRO Manuguru vide C/1837/87 dated 6.7.1987 and C/859/07 dated 4.5.2007 and got employment as Conductor at Madhira Bus Depot, APSRTC, during the year 2007 and subsequently transferred to Manuguru. The enquiry has been caused basing on the complaint made by one of Depot Staff, regarding the caste of the Appellant, the Vigilance Dept., of APSRTC has referred the matter to collector, Khammam who in turn to Tahsildar, Manugur who filed a Criminal case, under Sections 182 and 420 of IPC and that the Hon'ble Court has acquitted him from the charges. The appellant in his written arguments stated that the District authorities without taking into consideration, the above said facts have passed the impugned orders, canceling his ST Koya Caste certificate.

6. Government further observed that on perusal of the material papers made available in the file and copies of the written arguments /documents furnished by the appellant, it is observed that the grounds mentioned by the appellant are not convincing and not conferring any right on the appellant to claim his caste as Koya ST, and also as per the Field-level Officers enquiry with the local people of the native village of the father of the appellant reveals that the 'Beeram' surname does not exists in Koya community. It is also observed from the record that the sister and brother of the appellant have given statement that their father belongs to Kapu(Lakkamarri Kapu) Caste. The Criminal Case filed against the Appellant is with regard to forgery in the blank column of the T.C of the Government Junior college, Manuguru and the appellant is acquitted as far as concerned to Sections 182 and 420 of IPC, which does not confirm the caste of the appellant as ST Koya and the claim of the Appellant as Koya – ST is not trust worth and far away from truth. Hence, there is no reason to interfere in the orders of the District Collector, Khammam, Proceedings Rc.No. D3-2150/07 dt. 16.01.2011.

7. The Government, after careful examination of the Appeal Petition and the facts stated supra and in exercise of the powers conferred under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No16 of 1993), decided that the appeal petition filed by Sri Beeram Sudhakar S/o Sri Venkatanarsaiah does not deserve any interference in the Proceedings of the Khammam. Hence, the Proceedings of the District Collector, Khammam issued vide Rc No. D3-2150/07, dated 16.1.2011 is hereby upheld and the Appeal Petition of Sri Beeram Sudhakar S/o Sri Venkatanarsaiah is hereby rejected and the ST Koya Caste Certificates issued by the M.R.O., Manugur vide C/1837/87, dt. 06.07.1987 and C/859/07, dt. 04.05.2007 deemed to be cancelled.

8. The District Collector, Khammam shall take necessary action in the matter.

9. The records (containing No. D3-2150/2007, pages 01 to 246) received from District Collector, Khammam District, through 4th read above, are returned herewith in original to District Collector and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.A.VIDYASAGAR
Principal Secretary to Government(TW)

To
The District Collector, Khammam (we) (By RPAD)
(with original records).

Sri Beeram Sudhakar S/o Sri Venkatanarsaiah,
R/o H.No.1-11-108, Rajiv Gandhi Nagar, Manugur, Khammam District.

Copy to:

The Commissioner of Tribal Welfare, AP, Hyderabad/ the Director, TCR& TI,
AP, Hyderabad.

P.S. to Minister (TW)

P.S. to Principal Secretary (TW)

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER